

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

STEVE PERRY MCDONALD,  
Petitioner

v.

DWIGHT HAMRICK,  
Respondent.

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Case No. 1:09-CV-152 (WLS)

**ORDER**

Before the Court is a Report and Recommendation from United States Magistrate Judge Thomas Q. Langstaff, filed July 14, 2010. (Doc. 19). It is recommended that Respondent's Motion to Dismiss for Lack of Exhaustion (Doc. 11) be **GRANTED**. No objection has been filed to date.

Upon full review and consideration of the record, the Court finds that said Report and Recommendation (Doc. 19) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Respondent's Motion to Dismiss for Lack of Exhaustion (Doc. 11) is **GRANTED**, and Petitioner's federal habeas corpus petition (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**.

**SO ORDERED**, this 17<sup>th</sup> day of September, 2010.

/s/ W. Louis Sands  
**THE HONORABLE W. LOUIS SANDS,**  
**UNITED STATES DISTRICT COURT**